Revenue (1927) Department.

~~ROUTINE.~~

MISCELLANEOUS.

G.O., No. 1443

Dated 26-7-1927

48 Ⓔ

Despatch Abstract.

Treasury (South Kanara) - Deposit amount - Withdrawal without proper authority - Irregularity - Orders passed.

CONFIDENTIAL.

C F. 91

REVENUE **DEPARTMENT.**

699 B/27

CURRENT No.

21.2.27

Received..........192 . *Registered*..........192

Subject.

Treasury - (South Kanara) - Deposit amount - Withdrawal without proper authority - Irregularity - Treasury Deputy Collector's explanation.

ENCLOSURES
No..........
....
Spare copies..........

Refce. B. No. 5598-26-3 (Confdl.)

Station Madras, *Dated the* 16th February 1927

From

W.Scott Brown, Esq., I.C.S.,
Secretary,
The Board of Revenue, Land Revenue. &
Revenue Settlement, ~~etc.~~
~~Separate Revenue~~.

~~Resolution~~
Reference.

N.Macmichael, Esq., C.S.I.,I.C.S.,
Commissioner of Land Revenue and Settlement.

P.L.Moore, Esq., C.I.E., I.C.S.,
Commissioner of Excise.

H.A.B.Vernon, Esq., I.C.S.,
Commissioner of Land Revenue.

****

Read the following:-

Letter from G.W.Wells, Esq., M.A.,I.C.S., Collector of South Kanara, Ref. Confdl. 12/26, dated 11th January 1927.

II.

Letter from the Accountant-General, Madras, No. T.M.5-5 of 26-27/5194, dated 27th January 1927.

REFERENCE:

The Collector of South Kanara brought to the notice of the Board last year a case of temporary embezzlement of the English branch of the Collector's Office. The result of the enquiry into the case shows that (i) insufficient supervision by the English Head clerk, (ii) a long standing practice of handing over money to subject clerks and (iii) the fact that clerks were permitted to deposit money with the Treasurer and withdraw it on flimsy grounds without written authority from the head of the section are some of the primary causes which led to the temporary misappropriation. (L)

2- Of the series of charges framed by the Collector against the clerk and examined by the Board in detail, four relate to a sum of Rs.300 which was sent to the Collector on 16th March 1926 by the Shipping master, P.& O. Steam Navigation Company, Bombay, for payment to the heir of a deceased lascar. The amount was deposited in the treasury on the same day. On 1-4-1926, the clerk, after making a false representation that the amount might be required for disbursement during the ensuing Easter Holidays, presented a draft payment order without the initials of the English Head clerk, the head of the section, to Mr. M.S.Pais, who was in temporary charge of the Treasury. The draft payment order was passed by Mr. Pais and the clerk, after drawing the amount from the Treasury, retained it, apparently with a view to misappropriation, till he was called upon to pay it on 12th May 1926.

3. The Board, in paragraph 3 of its Ref. No. B.5598-26-1, (Confdl.) dated 11-12-1926, called upon the Collector to frame a charge against Mr. M.S.Pais, Treasury Deputy Collector, who was responsible for having allowed a sum of Rs.300 to be taken from the treasury by the clerk without an authority from the English Head clerk who was the head of his section. The charge and the explanation of the Treasury Deputy Collector are submitted herewith. (p 12.17 cf

4. Mr. Pais justifies his action on two grounds:-

(1) that he was following the long standing practice of the subject clerks receiving money without the initials of the head of the section and

(2) that the draft payment order was actually written by and bore the initials of the Huzur Treasurer, the head of "G" section.

A

P2 of Ⓙ

Most of the precedents quoted by the Treasury Deputy Collector involved petty sums and the responsibility of the Huzur Treasurer is only as regards the safe keeping of the cash and not as regards its disposal or utilization. In the course of his explanation Mr. Pais refers to item 8/26 in the Treasury Deputy Collector's security register which involves a substantial sum of Rs.783-12-0 It was received by the Treasury Deputy Collector for he Collector on 15-1-1926 from the Shipping Master, Bombay and anded over to the clerk for deposit. Subsequent enquiry proved hat the clerk made a false entry in column 8 of the Treasury eputy Collector's security register that the amount had been sent o the treasury for safe custody, though the amount was never eposited at all. The question of withdrawal without authority n that case does not arise.

5. In the circumstances, the Board is of opinion, that the reasury Deputy Collector's explanation cannot be accepted. The eputy Collector undoubtedly committed an error of judgment. Such large sum should not have been handed over in the circumstances save n a definite statement that ~~the~~ "the payee is to appear to-day or as appeared to-day." The Treasury Deputy Collector was put off by the clerk's statement that the payee was likely to appear during the holidays. He should have insisted on seeing a written intimation to that effect from the payee and if there was none he should have refused to disburse the money. The Deputy Collector's action was directly calculated to encourage the clerk in temporary misappropriation. M.R.Ry. M.S.Pais Avl. is due to pass the efficiency bar and draw Rs.550 from 14-2-1927. Though his record is satisfactory, the Board considers that an officer who can allow such a practice cannot be held fit to pass the efficiency bar and

that the question of Mr. **Pais'** fitness should be again considered on 14th February 1928.

6. Necessary precautions against the repetition of such frauds have been taken by the Collector - Vide his office order (copy enclosed). At the instance of the Accountant-General, the Board has also circulated to all Collectors instructions as to how such amounts should be dealt with (copy enclosed).

P5-7 Cf

P9 Cf.

7. The clerk was dismissed from service and the English Head clerk who was responsible for laxity of supervision was punished with stoppage of increment for one year with the effect of postponing future increments.

18/2

Secretary.

To the Secretary to Government, Revenue Department,

with Collector's security register, Vol. I

Treasury Deputy Collector's security register

Huzur Treasurer's register

Draft charge against the Treasury Deputy Collector.

Explanation of the Treasury Deputy Collector.

Copy of Collector's Office order.

Copy of paragraph 1 of Board's Ref. No. B.5598/26-1, dated 11-12-1926.

Copy to the Accountant-General, Madras.

S.S./17-2.

OFFICE ORDER.

To prevent embezzlement of Government money the following office order is issued in supersession of all previous orders regarding the opening of tappal. In future all tappals received by post as well as by local delivery will be opened by the Collector himself when he is at head-quarters.

2. All local delivery covers will be received by B 5 (the tappal clerk of the P.A. to Collector) and in his absence by the English Head clerk. None of the other clerks is permitted to receive them. If any money is brought with local delivery covers, the person who produced the money should be taken by B 5 to the Collector if he is in the office or the Treasury Deputy Collector if the Collector is not in the office. The Collector or Treasury Deputy Collector will receive the money and cover and acknowledge their receipt in the Local Delivery Book of the person producing them. They will then follow the procedure laid down in paras 4 and 7 below. Local delivery covers received by B 5 and E.H.C. will be sent by English Head clerk to the Collector every evening in a locked box with papers for orders. When the Collector is not in Headquarters they will be sent to the Treasury Deputy Collector in a locked box. Urgent covers received by local tappal will also be taken to the Collector or Treasury Deputy Collector by B5.

3. The Post-master, Mangalore, will be requested to send at 11-30 A.M. on every working day to the Collector's bungalow when the Collector is at head-quarters Or to the Huzur Office to the Treasury Deputy Collector when the Collector is in camp, all registered covers, parcels, and money orders addressed to the Collector.

4. The Collector will, while opening the tappal, enter in his Security Register all the valuables and cash including cheques received by him. The valuables will be made into parcels and sealed with the Collector's seal. The contents of the parcels will be written on them and initialled by the Collector with date. The cash, the parcels containing valuables and the

Security Register will then be sent with the tappals to the Sheristadar in a locked box.

5. The Sheristadar will sign column 8 of the Security Register in token of receipt of the cash and cheques and enter the money received in a cash book which he will maintain in the prescribed form. He will keep the money in a cash box which will be provided for the purpose. The cheques should in due course be cashed and the money entered in the cash book if it is not paid into the Treasury to the credit of some account. Until the cash box is ready the Sheristedar may use one of the new tappal boxes of the Collector. He is not permitted to disburse any money to anybody without the written orders of the Collector or the Treasury Deputy Collector. The~~y~~ Treasury Deputy Collector will issue orders for disbursement of money only in urgent cases when the Collector is not at head-quarters. The Sheristadar should deposit the cash box in the Treasury every evening before 5 p.m. and take it out of the Treasury when necessary at 11-30 a.m. For this purpose he should maintain a book in the Sub Treasury form No.LIII.

6. After the Sheristadar has acknowledged receipt of money in column 8 of the Collector's Security Register he will send this book and the sealed parcels of valuables with their connected letters etc. to the Treasury Deputy Collector who will likewise acknowledge their receipt in the Security Register and keep the sealed parcels in safe custody in the Treasury after entering them in his "Register of sealed parcels and chests" prescribed in para 8 of the Madras Treasury Manual. The Treasury Deputy Collector will get the Nos. and dates of this register noted in the connected papers. He will then return the connected papers and the Collector's Security Register to the Sheristadar who will distribute the connected papers to the sections and send the Security Register to the Collector. The Treasury Deputy Collector will not issue any of the sealed parcels from the Treasury without the written orders of the

Collector, and when he issues any parcel he will deliver it only to the Sheristadar, English Head Clerk or Magisterial Clerk, who will personally receive it from the Treasury after signing the last column of the Treasury Deputy Collector's "Register of sealed parcels and chests."

7. When the Collector is in camp all tappals of the Collector will be opened by the Treasury Deputy Collector as required by paragraph 27 of the District Office Manual. He will also receive all Money Orders addressed to the Collector. The Treasury Deputy Collector, will, as soon as he opens the tappal, send all Board and Government and other important communications to the Collector in camp before being registered and carry out the functions of the Collector with regard to cash, cheques, and valuables as laid down in para 4 above, after getting the necessar entries made in the Security Register of the Personal Assistant to the Collector which is maintained by him.

8. The Collector will on the last working day of each month, or more often, check the cash in the custody of the Sheristadar. If the Collector is in camp on this ~~this~~ date, he will verify the cash on his return to head-quarters. He will also occasionally check the valuables in the treasury.

South Kanara Collector's Office,
Mangalore, dated 15th June 1926.

(Sd.) G.W.Wells,
Collector.

***

Board of Revenue, Land Revenue and Settlement.

H.A.B. Vernon Esquire, I.C.S.,
Commissioner of Land Revenue.

Reference No.B-[illegible]/26,1, dated the 11th December 1926.

REFERENCE.

Treasury - Irregularity - Accountant General's suggestion.

In connection with a case of embezzlement of public money, the Accountant General suggests that moneys received from Shipping Masters should be placed in Revenue Deposit in the name of the parties to whom they are payable and withdrawn only when actually required for disbursement to the parties. Collectors are requested to see that the instructions of the Accountant General are properly observed.

(Sd)W. SCOTT BROWN,
Secretary.

To all Collectors - paragraph 1 only.
To the Collector of South Kanara.)
To the Accountant General, Madras.)

Forwarded.
(By Order)

Superintendent.
14/12/26

C.N.N./14-12-1926.

16/12/26

11

DRAFT CHARGE.

That you, on 1st April 1926, being in temporary charge of the South Kanara District Treasury, allowed a sum of Rs.300/-, received from the Shipping Master, Bombay, for disbursement to the heirs of a deceased lascar, and which was in deposit in the Treasury, to be paid to clerk Jalaluddin, without an authority from the English Head clerk, and without any orders having been passed by the Collector for the disposal of the amount and merely acted negligently and failed to assure the safe custody and proper disposal of trust money in the custody of Government. You~~r~~ are requested to submit your explanation to the above charge by 7th January 1927.

South Kanara Collector's office,
Mangalore, 7th January 1927.

For Collector.

9/1/27

M.D'S.11/1.

13 / Rev. Deptt

Confidential.

O.M. No 699 B/27-1 dy 25-2-27

D.P.
Encl. printed
MR/ D.P.

Pais A.J. — M.R.Ry M.S. — Deputy Collr (South Kanara) — ~~Explaining~~ ~~[illegible]~~. Treasury Irregularity - Exp. from the Board L R & S Ref B.5598-26-3 (Confdl) dy 16-2-27.

p.1cf

It is gathered from the Dy Collr's explanation that when he was in charge of Puttur division he took casual leave on 1-4-26 & proceeded to Mangalore where he was directed to take charge of the Treasury on that day, & that the next day (2-4-26) he handed over charge of the Treasury to the Head Quarters Dy Collr & returned ~~back~~ to Puttur. The Board of Rev is requested to report whether this is a fact.- I should also report ~~if~~ what punishment has been awarded to the Huzur Treasurer, wh wrote & initialled the draft paymen

It was whilst he was in this temporary charge of the try that the irregularity occurred.

25-

Despatched

To The Board L R & S ~~with~~ [illegible].

The Dy Collr's explanation to be returned.

24-2-27

CONFIDENTIAL.

Revenue **DEPARTMENT.**

SECRETARY TO GOVERNMENT
12 APR 1927
REVENUE DEPARTMENT

CURRENT No. 16218
12-4-27

Received..............................192 *Registered*..............................192

Subject.

Treasury - (South Kanara) - Deposit amount- Withdrawal without proper authority - Irregularity.

ENCLOSURES

No.....................

....

Spare copies.....................

Reference B.No. 5598/26-5 Confdl.

Station M a d r a s, *Dated the* 9th April 1927 192

From

W.Scott Brown, Esq., I.C.S.,
Secretary,

The Board of Revenue, *Land Revenue.* ~~*Revenue Settlement, etc.*~~ ~~*Separate Revenue.*~~

Resolution
~~*Reference.*~~

H.A.B.Vernon, Esq., I.C.S.,
Commissioner of Land Revenue.

***

Read the following:-

P13 Cp.

Memorandum from Government, Revenue Department, No. 699 B/27-1, dated 25th February 1927.

II.

Board's Reference No. B.5598/26-4 Confdl., dated 11-3-27.

III.

Letter from G.W.Wells, Esq.,M.A., I.C.S., Collector of South Kanara, Ref. C.No.12/26 Confdl., dated 18th March 1927.

Mr. L.E. Hurtis was the Treasury Deputy Collector at the time. He applied for permission to avail himself of the holidays from the 2nd to the 7th April 1926 and it was arranged that Mr. A.C.Woodhouse, the Deputy Collector in charge of the Head-quarters Division, should be in charge o the Treasury during the period. On account of the serious illness of his mother, who expired before he reached Calicut, Mr. Hurtis had, however, to leave Mangalore for Calicut earlier than it was arranged and so Mr. Pais who was in charge of the Puttur Diviion and who was then in Mangalore on casual leave, was temporarily placed in charge of the treasury. He took charge of the treasury from Mr. Hurtis in the forenoon of 1-4-1926 and handed over charge to Mr. Woodhouse in the forenoon of 2-4-1926. It was during this interval that the irregularity was comitted.

(2) I did not punish the Huzur Treasurer who wrote and initialled the draft payment order. I had taken his explanation but did not see sufficient ground for punishing him, as his fault was covered by that of the Deputy Collector.

The explanation is submitted herewith. p19 – 26 Cf

Enclosures.

(1) Explanation of M.R.Ry. M.S.Paid Avargal.
(2) Explanation of M.R.Ry. J.S.Suvarana, Huzur Treasurer.

REFERENCE:

Submitted to Government.

2. The attention of Government is invited to the sub-paragraph to paragraph 4 of the Board's Ref. No. B.5598/26-3 (Confdl.) dated 16-2-1927. p 3 cf.

11/4
Secretary.

To the Secretary to Government, Revenue Department,

with explanation of M.R.Ry. M.S.Paid Avl.,
Deputy Collector and explanation
of M.R.Ru. T.S.Suvarna, Huzur
Treasurer.

S.S./9-4 11.4.27

Confidential ~~12~~ 27 4.1.27

17 Camp Mangalore

4th January 1927

From

M. R. Ry. M. S. Pai avl, B.A.
Deputy Collector,
Puttur.

To

The Collector of
South Kanara,
Mangalore.

Sir,

Treasury - Irregularity - Your R.O.C $\frac{12}{\text{Confdl.}}$/26 dated 26th December 1926.

I submit the following explanation in answer to the charge framed against me:-

2 The first of April 1926 being Maundy Thursday, I had applied for casual leave for that day and gone to Mangalore. I was however ordered to receive charge of the district treasury as the Treasury Deputy Collector Mr. Hurtis had to leave Mangalore urgently for Calicut on account of

re illness of his mother who unfortunately died that day. That was the first occasion I was in charge of the South Kanara district treasury after I underwent Treasury training in 1924

The amount in question was disbursed by me to clerk Jalaluddin in the following circumstances:

Clerk Jalaluddin came to me with the Treasurer's security register with a draft order in the handwriting of the Huzur Treasurer written on it opposite item No $\frac{5}{16\cdot 3\cdot 26}$ for the payment of Rs 300 to the said clerk. p61 of Ⓣ The original entry showed that the amount in question was deposited in the treasury for safe custody by clerk Jalaluddin himself and not by the head of the section. I questioned the clerk why the amount was required that day and he said that the party entitled to receive the amount was likely to appear before the Collector either that day or on one of the succeeding days which were Easter holidays that the connected file was with the Collector and that the amount was required for payment to the party. I therefore passed the payment order. The next morning (Good Friday) I handed over the Treasury keys to the head quarters deputy Collector and soon after proceeded to Puthur as ordered by the Collector, as the Board Commissioner Dewan Bahadur T. Raghaviah Garu C.S.I was expected there in connection with the selection of sites for officers' quarters. I was not in touch with the treasury after that.

4. The practice in this district was for the subject clerks of the correspondence section to receive moneys and valuables, keep them in the treasury for safe custody and take them out whenever required, the authorization from the heads of sections being obtained very rarely, if ever. That this had been the practice will be evident from the ×note of M. R. Ry Rao Sahib P. K. Nambiar who had been the Treasury Deputy Collector of this district for nearly eight years, against item No $\frac{121}{30.1.24}$ in the Collector's security register for 1923 onwards and also from the fact that the amounts relating to the following items× in the Treasurer. security register, were deposited

×"The Subject Clerk shd receive and give to Treasury,

× noted at the nd. p. 17 below

~~30~~ 20 ~~15~~

by and given out to the subject clerks without any authorization by the heads of sections. That this was the practice in this district will also appear from paragraph ten of the Collector's report dated 13.7.26 to the Board of Revenue, regarding the embezzlement by clerk Jalaluddin. Even a larger amount of Rs 783.12.0 was entrusted to the subject clerk on 15.1.26 without any authorization by the head of the section (vide item No 8 in the Treasury Deputy Collector's security register). I may add here that there were no rules either in the Boards standing orders or in the Office manual requiring the authorization by the heads of sections in such cases and that in this particular case, the draft payment order put up before me was actually written by and bore the initials of the Huzur Treasurer, who is also the head of the "G section" of the Collector's office. The day in question was a very busy day for me as it was not merely the 1st day of the month but also of the official year and the succeeding six days were holidays. Even then I questioned the clerk Jalaluddin about the necessity for the payment of the money and then

Ⓔ
p 18 - item 2 in the para which the Accused [illegible]
[illegible]

p 2 of Ⓙ
The entry "Sent to Try for Safe Custody" by the clerk is false. It was never deposited.

p 61 of Ⓣ

[illegible] in para 3 p
that the Treasurer was merely
a custodian but the head
of G section [illegible] was to
dispose of the amounts.

passed the payment order in accordance with the practice followed in this district. In these circumstances I request that I may not be held to be guilty of any irregularity.

Items agreed to have [illegible] with the corresponding amount involved bills to found in the typed [illegible] at pp 9 to 10 above.

Items referred to in paragraph four above:- $\frac{21}{22-23}$, $\frac{11}{26\cdot5\cdot23}$, $\frac{13}{31\cdot5\cdot23}$, $\frac{22}{10\cdot7\cdot23}$
$\frac{32}{26\cdot7\cdot23}$, $\frac{37 \,\&\, 38}{28\cdot8\cdot23}$, $\frac{41 \,\&\, 42}{23\cdot9\cdot23}$, $\frac{49 \,\&\, 50}{1\cdot10\cdot23}$
$\frac{51}{13\cdot10\cdot23}$, $\frac{53}{16\cdot10\cdot23}$, $\frac{55 \,\&\, 56}{22\cdot10\cdot23}$, $\frac{59}{3\cdot11\cdot23}$
$\frac{69 \,\&\, 70}{8\cdot1\cdot24}$, $\frac{76}{24\cdot1\cdot24}$, $\frac{82 \,\&\, 83}{25\cdot2\cdot24}$, $\frac{92 \,\&\, 93}{4\cdot4\cdot24}$
$\frac{95 \,\&\, 96}{14\cdot4\cdot24}$, $\frac{98}{23\cdot4\cdot24}$, $\frac{102}{3\cdot5\cdot24}$, $\frac{108 \,\&\, 109}{2\cdot6\cdot24}$
$\frac{110}{7\cdot6\cdot24}$, $\frac{111}{13\cdot6\cdot24}$, $\frac{116}{3\cdot7\cdot24}$, $\frac{118}{12\cdot7\cdot24}$,
$\frac{119}{14\cdot7\cdot24}$, $\frac{122}{16\cdot8\cdot24}$, $\frac{123 \,\&\, 124}{20\cdot8\cdot24}$, $\frac{133 \,\&\, 134}{23\cdot9\cdot24}$,
$\frac{136}{8\cdot10\cdot24}$, $\frac{139 \,\&\, 140}{22\cdot10\cdot24}$, $\frac{142 \,\&\, 143}{31\cdot10\cdot24}$, $\frac{144}{5\cdot11\cdot24}$,
$\frac{145}{6\cdot11\cdot24}$, $\frac{149}{22\cdot11\cdot24}$, $\frac{150}{29\cdot11\cdot24}$, $\frac{152}{19\cdot12\cdot24}$, $\frac{2}{14\cdot1\cdot25}$
$\frac{6}{13\cdot2\cdot25}$, $\frac{8}{4\cdot3\cdot25}$, $\frac{9}{11\cdot3\cdot25}$, $\frac{10}{31\cdot3\cdot25}$, $\frac{12}{5\cdot5\cdot25}$
$\frac{14}{6\cdot5\cdot25}$, $\frac{15}{12\cdot5\cdot25}$, $\frac{16}{30\cdot5\cdot25}$, $\frac{17 \,\&\, 18}{25\cdot6\cdot25}$, $\frac{21 \,\&\, 22}{14\cdot7\cdot25}$,
$\frac{32}{31\cdot8\cdot25}$, $\frac{36}{22\cdot9\cdot25}$, $\frac{38}{22\cdot10\cdot25}$, $\frac{39 \,\&\, 40}{26\cdot10\cdot25}$, $\frac{41}{17\cdot11\cdot25}$,
$\frac{43}{25\cdot11\cdot25}$, $\frac{44 \,\&\, 45}{4\cdot12\cdot25}$, $\frac{1 \,\&\, 2}{6\cdot1\cdot26}$, $\frac{3}{24\cdot2\cdot26}$, $\frac{4}{13\cdot3\cdot26}$
& $\frac{7}{8\cdot4\cdot26}$. The entry for which I am responsible is $\frac{5}{16\cdot3\cdot26}$. The only other entries on that

30 27 17

age are Nos 1·2·3 & 4 of 1926 referred to above and in none of these is there any authorizati by the head of the section for the payment of the amount.

I beg to remain,

Sir,

your most obedient servant.

M S Dias

Dy Collector.

Revenue Department.

O.M.No.699 B/27-2 dated 5·5·27

1/6/5

xo wn 6/5

Treasury - (South Kanara) Deposit amount - Withdrawal - Withou proper authority - Irregularity.

Board's Ref.B.5598-26-3 Confdl dated 16-2-27.

Board's Ref.B.5598-26-5 Confdl dated 9-4-27.

Issue orders to cash office

D.P.: Enclosures put up

MG

The Government observe that the Huzur Treasurer would appear *prima facie* to be more culpable than Mr.Pais A charge should be framed against him and his explanation should be taken for having written and initialled suc a payment order and thereby given his support to the practice of which the payment order was an example instead of inviting the attention of the new T.D.C. to the nature of the practice. As the Collector and the Board have already committed themselves to a certain view, in this case the explanation should be submitted to the Government for orders.

~~28~~

4

2. The explanation of the

officer who was the permanent T.D.C. before Mr. Pais assumed temporary charge of the treasury, for allowing the practice of permitting clerks to deposit money with the Treasurer and to withdraw it on flimsy grounds, should also be taken, and submitted to the Government.

3.5.27

To the Board of Revenue, L.R. & S. with records as per list

DESPATCHED MAY 1927 with Records appended

7.5.27

List of Records

(1) Collector's security register Vol I
(2) T.D.C's security register
(3) Huzur Treasurer's register
(4) Explanation of the Huzur Treasurer.

3.5.27

Put up for Despatch as Enc to this O.M.

8/5

25

CONFIDENTIAL

Revenue **DEPARTMENT.** C.F. 31

8 JUL 1927

CURRENT No. 5·920 B/27

Received..............192 . *Registered* 8 · 7 · 1927

Subject.

Treasury (South Kanara) - Deposit amount- withdrawal witho proper authority - Irregularity.

ENCLOSURES
No.
Spare copies

Reference B No. 5598/26-7 (Confdl.)

Station Madras, *Dated the* 5th July 1927. ~~192~~.

From

W.Scott Brown, Esq.,I.C.S.,
Secretary,
~~The~~ Board of Revenue, Land Revenue. and ~~Revenue~~ Settlement, ~~etc~~. ~~Separate Revenue~~.

~~Resolution~~
Reference. H.G.Stokes, Esq., C.I.E., I.C.S.,
Commissioner of Land Revenue.

***

Read the following:-

p23-24 Cf

Memorandum from Government, Revenue Department, No. 699 B/27-2, dated the 5th May 1927.

II.

Board's Reference No. B.5598/26-6 (Confdl.) dated 14th May 1927.

III.

Letter from E.M.Gawne, Esq., I.C.S., Collector of South Kanara, R.O.C.No.12/26 (Confdl.) dated 17th June 1927.

Mr. L.E.Hurtis was the permanent Treasury Deputy

Collector before Mr. Pais assumed temporary charge of the Treasury. I submit herewith copies of my letter* to Mr. Hurtis and of the charge(*) framed against the treasurer and the explanations† of these officers in original.

* p30CF

(*) p29 CF.

† p31-38 CF.

2. As regards the Treasurer, he undoubtedly showed negligence in writing and initialling the payment order and I cannot believe his explanation that he just wrote to 'oblige' the clerk who had no pen. My predecessor, Mr. Wells, however seems to have considered his action less blameworthy than that of the Treasury Deputy Collector (Mr. Pais) who in his statement before the Collector dated 20th May 1926 said that he had questioned the subject clerk regarding the necessity for the withdrawal of the amount and signed the payment order believing him. Please see his statement at pages 103-104 of R.Dis. No. 3983/26, dated 12th April 1927. (R) But he could not have seen the file concerned with the amount as on the 1st April the file was actually with the Collector. Mr. Pais did not suggest that he was in any way influenced by the handwriting or initials of the Treasurer. Mr. Hurtis's explanation also shows that it was the practice for the subject clerks to go direct to the Treasury Deputy Collector with the papers and the Security register, satisfy him about the necessity for the deposit or withdrawal and then 'or payment orders passed by him. But Mr. Hurtis e[illegible] the clerk would bring the papers with him and i~~t is cl~~ear that if a clerk would show a signed draft which clearly involved the withdrawing of the money, there would be no need for a requisition from the head of the section. It is also true that in all other cases except this one the Treasurer had nothing to do with the deposit or withdrawal, it being the practice for the subject clerks themselves to write the necessary endorsements in the Security register and get them passed by the Treasury Deputy Collector - please see columns 6 and 9 of the Treasurer's Security register.

But he has stated that the payment order was written & initialled by the Treasurer – p 20CF

But Mr. Pais, who was in charge only for one day, could not have known this

3. As regards Mr. Hurtis, I selected five cases from the Treasurer's Security register in which he appeared according to the register to have allowed the deposit or withdrawal without authorisation from the Heads of Sections. As stated by him, I think a wrong impression will be created if we drawn conclusions now from what appears in the Security register alone, without the connected papers. There is no reason to doubt tha the Treasury Deputy Collector as Personal Assistant must have been dealing with some of the papers himself and in other cases the clerks might have shown the actual file to him. It is also not quite correct to say that there was a practice of permitting clerks to withdraw money on flimsy grounds. So far as is known there was no other instance of such a withdrawal beside this single item of Rs.300 though in two other cases such withdrawals were initialled by the head of the section. Mr. Hurtis was not the Treasury Deputy Collector. As regards deposit also there is only this one known instance of a clerk attempting to deposit money in the Treasury by underhand means. I refer to the sum of Rs.791-12-0 which was detected by Mr. Hurtis on 11th May 1926 and led to the enquiry which revealed many other misappropriations by the clerk. Mr. Hurtis has given the full history of this in his typed office note at pages 7-13 of R.Dis. 3983-26, dated 12th April 1927.

But this is what the previous Collr said — vide page 2 CF.

(R)

4. The records and registers noted in the margin are bulky and have been sent by separate railway parcel.

✓ 1. Treasury Deputy Collector's Security Register.
✓ 2. Treasurer's Security Register.
✓ 3. Collector's Security Register, 2 volumes.
✓ 4. D.Dis. 2278/26, dated 11th June 1926.
✓ 5. D.Dis. 1503-25, dated 17th October 1925.
✓ 6. R.Dis. 3983-26, dated 12th April 1927.
✓ 7. Copy of the office order dated 4th July 1925.

****

Reference

28

REFERENCE:

Submitted to Government.

6/7
Secretary.

To the Secretary to Government, Revenue Department,

with records⊗ as detailed in the Collector's letter.

S.S./5-7. 6.7.27

⊗ Sent Separately.

CONFIDENTIAL:

R.O.C.No. 12/1926 (Confdl.)

E.M. Gawne Esq., I.C.S.
Collector of South Kanara.

Treasury - Deposit Amount - Withdrawal without proper authority - Irregularity.

Charge against M.R.Ry. J.S.Suvarna, Huzur Treasurer,

That you on 1st April 1926 as Huzur Treasurer wrote and initialled in your Security register the payment order in respect of Rs.300 relating to item 5 dated 16th March 1926 of the said Security Register in favour of clerk Jalaluddin without any authorisation from the Collector, the Treasury Deputy Collector for the Collector or the Section Head and thereby you acted negligently and without proper care and gave your support to the irregular practice of permitting clerks to withdraw amounts from the Treasury on flimsy grounds, instead of inviting the attention of the new Treasury Deputy Collector (Mr. M.S.Pais) to the nature of the practice.

You are required to submit your explanation to the charge within 15 days. You may consult the Security Registers.

South Kanara Collector's Office,
Mangalore, 24th May 1927.

(Sd.) E.M.Gawne,
24-5-1927.
Collector.

Copy of letter from E.M.Gawne, Esq., I.C.S., Collector of South Kanara, to L.E.Hurtis, Esq., Revenue Divisional Officer, Mangalore, R.O.C.No.12/26,(Confdl.) dated 24th May 1927;

TREASURY - Deposit amounts - Withdrawal without proper authority - Irregularity.

During the period that you were in permanent charge of the District Treasury of South Kanara from 2nd June 1925 till the discovery of the defalcations by clerk Jalaluddin in May 1926 there was the practice - though it was older than 1925 - of permitting clerks to deposit money with the Treasurer and withdraw it on their own authority without proper authorisation from the Collector or the heads of sections. This practice led to the withdrawal of monies from the Treasury on flimsy grounds by Jalaluddin. The Board has ordered me to take your explanation for allowing this irregular practice in your time. In the margin I give some instances in which you allowed the practice.

1. Item 36, dated 22-9-25 of the Treasurer's Security Register.
2. " 43, dated 25-11-1925
3. " 44, dated 4-12-1925
4. " 45, dated 4-12-1925
5. " 5, dated 16-3-1926

I request you to submit your explanation within fifteen days.

Mangalore, 8th June 1927.

To

The Collector,
South Kanara.

Sir,

Treasury - Deposit - Amount - Withdrawal without proper authority - Irregularity - Collector's order R.O.C. 12/26, dated 24th May 1927.

I beg to submit my explanation in respect of the charge framed against me.

2. Facts relating to the charge may be briefly stated as follows:-

A sum of Rs.300 was kept in amanath in the Treasury 16th March 1926. It was entered in the amanath register as well as in the Security Register the same day. On 1-4-1926 clerk Jalaluddin came to me for the security register. I asked him why he wanted it. He said that the money was wanted for disbursement to parties. I gave him the register. The clerk then requested me to write the payment order as he told me that he had no pen. I did not suspect any fraud on the part of the clerk, wrote the payment order, initialled it and gave the register to him. He took it to the T.D.C. and obtained the orders of the T.D.C. On seeing the orders of the T.D.C., I paid the Rs.300 to clerk Jalaluddin and obtained his receipt in the register maintained for the purpose.

3. On these facts, I have been charged for negligence and carelessness for writing and initialling the payment order in the security register

The writing of the payment order was entirely a matter of friendly obligation. In fact it was purely an accident. The clerk said he had no pen with him, and I was asked to oblige him. There was nothing hidden or concealed in this circumstance.

The initialling followed the draft of the payment order by dint of sheer habit. It is always the habit with me as Treasurer to initial anything written by me. In this case as well, the initialling was done mechanically and unintentionally.

The above is only a statement of facts. But the point is whether there was negligence or carelessness. It was not my province to question and ascertain from the concerned clerk whether he had any proper authorization or not. The T.D.C., had to do it and the T.D.C. has explained that he did satisfy himself as regards the necessity for withdrawal by questioning the clerk Jalaluddin. Whether the T.D.C. was justified in relying upon the mere assertion of the concerned clerk when the latter did not even produce the connected records on the plea that they were with the Collector is quite a different matter. I beg to repeat with a view to emphasise that the writing and initialling the payment order carried no responsibility with it so far as I was concerned. I did it for the clerk and at his instance, and this is admitted by the clerk himself.

The proper criterion for deciding whether there was negligence or carelessness in any act done would be to ascertain if the undesirable consequences had been influenced in any manner by the said act. If I had not written up the payment order, the clerk would have written it himself, as he and many other subject clerks were doing it in many previous instances. Let us now try to inquire if my writing had made any the least difference. Absolutely none.

The T.D.C. was evidently not influenced by the handriting of the payment order or the initial thereof. The .D.C. says that he questioned the clerk and satisfied imself. This to him was sufficient inducement and in act the only inducement for the T.D.C. to initial the

Why not?

in [illegible].

payment order. It is not his suggestion that he was influenced in any way by my handwriting or the initial or that he would not have initialled the payment order, if the writing was not mine. The initialling by the T.D.C. is the finishing touch and if that has not been induced specially by my handwriting, my writing and initialling the payment order cannot be said to have affected in any way the course of things that finally ended in misappropriation by the clerk

My submission under the circumstances therefore is that by my writing and initialling in the security register, I cannot be blamed for negligence or carelessness.

4. The second clause of the charge is a little more comprehensive. I am charged with supporting the irrggular practice of permitting clerks to withdraw amounts on flimsy grounds. I am further charged with an omission viz. of not inviting the attention of the new T.D.C. to the nature of the practice.

Both these charges presuppose that the irregular practice aforesaid was prevalent to my knowledge, and what transpires between the concerned clerk and the T.D.C. is in the immediate presence of myself. Both these suppositions are against facts.

The T.D.C. sits in a different room and I can neither see nor hear anything that transpires in the room of the T.D.C. from my seat. Thus, whether the clerk concerned has stated flimsy ground or otherwise, or whether he has produced all the connected records or not, before inducing the T.D.C. to initial the payment order cannot be known by me at the time the T.D.C. initials the payment order.

Under these circumstances, my writing and initialling in the security register need not necessarily support an irregular practice as the satisfactory or flimsy nature of the explanation entirely depends upon the clerk concerned.

The charge of omission therefore can have no force at all. In so far as I am never present when the T.D.C. satisfies himself about the necessity for withdrawal of money, I have nosoccasion to invite the attention of the T.D.C., to the flimsy nature of the explanation tendered by the clerk concerned.

5. In short, I submit I have not erred either through negligence or carelessness. I could have no conception of the explanation tendered by the clerk concerned as it is not given in my presence. The T.D.C. satisfied himself and initialled the payment order. My duty was to obey orders of the T.D.C. and there was nothing suspicious to deter me from my usual routine and accordingly I paid the amount and obtained ackno/wledgment from the clerk in the usual course. This is what I ought to do and this is all that I did.

6. In writing the payment order, I did so on behalf of the clerk and at his instance. He too admits it. It was purely a mechanical act done to oblige. There cannot be, indeed, any error in this, when it is not even suggested that it was accompanied by any fraudulent intention on my part..

For these reasons, I pray that I may be discharged.

I beg to remain,
Sir,
Your most obedient servant,

(Sd.) J.S.Suvarna,
Huzur Treasurer,
and acting English Hd. Clerk.

Copy of letter from L.E.Hurtis, Esq., Revenue Divisional Officer, Mangalore, to E.M.Gawne, Esq., I.C.S., Collector of South Kanara, dated 12th June 1927.

Treasury - Valuables - Deposits and withdrawals by subject clerks - Irregularity - Explanation submitted - Your R.O.C.12/1926, Confdl., dated 24th May 1927.

I was Treasury Deputy Collector from 2-6-1925 to 25-7-2 The defalcations by clerk Jalaluddin were brought to light by me on 12th May 1926. I am now called upon to explain why I allowed clerks to deposit money with the Treasurer and withdraw it on flimsy grounds on their own authority without proper authorizatio from the Collector or the Heads of Sections.

2. After I took charge of the Treasury the Collector (Mr. Wells) issued the office order dated 4th July 1925 regarding the distribution of Huzur work between the Collector and the Treasury Deputy Collector. He also issued two other office orders on 5-8-1925 and 6-8-1925. According to ~~xxxx~~ these orders the Treasury Deputy Collector had to open all registered and local delivery tappals addressed to the Collector and District Magistrate on all days. Tappals received by ordinary post were opened by the Collector when he was at Head-quarters and by the Treasury Deputy Collector when the Collector was in camp. When tappals were opened, valuables used to be entered in the Security Registers of the Collector There were two volumes of this register in use at the same time - one was generally kept in the Collector's bungalow and the other in the office with the Treasury Deputy Collector. Entries in both these registers used to be made by the Collector and the Treasury Deputy Collector. These registers are Huzur Security Registers of the General Branch and not of the Accounts and Treasury Branches. I knew the routine correspondence of the General Branch as I used to open tappals, pas drafts for the Collector and deal with the papers allotted to me

in the office order of 4th July 1925.

3. The subject clerks used to bring to me the valuables received by them from the Collector or from me with the current files and the Treasurer's security register filled up for making over the valuables to the Treasurer for safe custody. I passed the entries for deposits in the Treasurer's security register after going through the current files. Similarly, when subject clerks wanted to withdraw the valuables deposited by them ey used to bring the current files containing Collector's ders or my orders for making the withdrawals. I never lowed money or valuables to be deposited or withdrawn thout seeing the orders requiring such deposits and thdrawals. It was because I insisted on current files eing shown to me and was careful that I was able to book alaluddin - please see my office note dated 12-5-26 to the llector.

4. I will now deal with the instances given in your etter:-

(1) Item No.36.- This relates to the collections from the Exhibition of the Leprosy film in aid of the Leprosy Relief Fund (Rs.86). A look at the entry in the Treasurer's Security Register will make one think that the clerk was allowed to deposit and withdraw the amount as he liked. The connected records (D.Dis. No. 1503/25) will however show that the facts were otherwise. The amount represented the proceeds of the sale of the Cinema Tickets to Collector's Office staff. The records contain a note dated 22-9-1925 of the Sheristedar that the amounts should be sent to the Treasury for safe custody (page 181). This note must have been before me when I ordered on 22-9-1925 the amount to be deposited in the Treasury in a sealed cover. It was withdrawn two days later on 24-9-1925. On 23-9-1925 I had passed for

Treasurer of the Leprosy Fund, with which letter the amount was to be sent to him. On 24-9-1925 when I passed the withdrawal order, this letter and file must have been before me.

(2) Item No.43.- This relates to a currency note of Rs.10 for gun license renewal. I received this when opening Collector's tappal on 25-11-1925 and entered it as item 384 in the Collector's Security Register and sent it to the Magisterial section.

(3) Item No. 44.- This relates to Rs.24 for renewal and petroleum license I received this amount while opening the tappal of the Collector on 4-12-1925 and entered it in the Collector's Security Register as item 388 and sent it to the Magisterial section.

(4) Item No. 45 relates to Rs.2-8-0 for renewal of arms license. I received this amount on 4-12-1925, when opening the tappal of the Collector and entered it in the Collector's Security Register as item 387.

The three amounts referred to in items 43, 44 and 45 were sent to the Treasurer for safe custody on the very dates they were received. I must have dealt with the papers relating to items 43, 44 and 45 myself, as the work of renewal of arms and petroleum licenses was allotted to me in the last item of the office order dated 4th July 1925, and ordered the receipt and return of the money by the Treasurer after seeing the current files relating to these amounts. Unfortunately these files have bee destroyed under the rules.

(5) Item No. 5/16-3-1926. relates to a sum of Rs.300 received by Money Order from Bombay to be paid to the heir of a deceased lascar. On 16-3-1926, I received the money order, and entered the amount as item 29 of 1926 in the volume of the Huzur Security Register which was with the Treasury Deputy

ollector. The letter relating to this had already been eceived on 13-3-1926 - please see D.Dis. 2278-26. I emember that this letter was shown to me because the ollector who received it had asked on it whether the oney was received. After seeing the letter I passed he order on 16-3-1926 (the date of receipt of money by e) for the deposit of the amount in the Treasury as th mount was one which had to be kept in the Treasury ending the result of the enquiry as to the heirs. The ithdrawal of this amount on 1-4-1926 was made when I was n casual leave.

5. The practice of allowing subject clerks to andle money was a long standing one followed by previous ollectors and Treasury Deputy Collectors. It continued while Mr. ells was Collector and I was Treasury Deputy Collector ut when valuables were placed and withdrawn from the reasurer, I always satisfied myself that it was necessary or the subject clerks to do so.

Pais Avergal - MRRy M.S. - Deputy Collector - (South Kanara) - Efficiency bar.

C. No. 699 B/27.

p 1 C.f. From Board L R &S Ref B. 5598 26 3 (Confl)

To Say

P1-3 C.F. The Board has reported a case of Treasury Irregularity committed by M.S. Pais Dy Collr. South Kanara. The charge framed against the Dy Collr is on p 11 C.f., and his explanation to it ~~are~~ is on p ~~12-17~~ 27 to 32 C.f. The Board is of opinion that the Dy Collr's explanation cannot be accepted, & recommends that efficiency bar may be applied to him for one year.

11-22
p ~~27 32~~ C.f. It is gathered from the Dy Collr's explanation that he was then Dy Collr Putturr, that he took casual leave on 1-4-26 & proceeded to Mangalore, where he was directed to take charge of the Treasury, as the T.D.C. Mr. Hasti has to leave Mangalore urgently for Calicut, on that day, and that the next day (2-4-26) he ~~has~~ handed over charge of the Treasury to the Hd Qrs Dy Collr & returned back to Putturr. When he was thus in temporary charge of the Dt Treasury for one day (ie on 1.4.26) he passed a draft payment order, written & initialled by the Huzur Treasurer, which forms the subject matter of the charge.

That there has been in that Dt a long standing practice of handing over money to subject clerks, & of allowing them to deposit it with the Treasurer & to withdraw it whenever required without authority from the head of the Section is evidenced ~~from~~ by the numerous instances quoted by the Dy Collr in his explanation, and by a note of a former T.D.C (who ~~has~~ is said to have been in the Dt for nearly eight years) which runs as follows:- "The Subject clerk should receive & give to treasurer."

P 21
~~[illegible] C.f~~ ~~P21~~ Cf

Item 12 in Flag Ⓦ

The Dy Collr relies on this practice & these precedents to justify the payment order passed by him. The Board also refers to the Dt practice — vide ⓓ on p 2 c.f. The Dy Collr, under such circumstances, appears to ~~be~~ have been misled by the false representation made by the clerk & by the fact that the draft payment order was written & initialled by the Huzur Treasurer when he initialled the draft. The clerk was dismissed, but the Board's report does not show what action was taken against the Huzur Treasurer, who wrote the draft.

For orders whether the Board's recommendation about the Dy Collr will be accepted

23.2.27

Ask the Board whether Ⓐ at p.1. c.f. is a fact & what punishment has been awarded to the Huzur Treasurer.

To Secy

Draft O.M. to Board Subm for approval

24.2.27

Issue

25.2.27

p 13 Cf. Issued as O.M. No 699 B/27-1 dy 25.2.27

p 15 Cf. From Board of R.H. Ref B 5598/26-5 Confdl dy 5.4.27

To Secy

The Boards' reply is on p 15–16 cf.

It is observed that (A) at page 1 N.F. is a fact, and that no punishment was awarded to the Huzur Treasurer, who wrote & initialed the draft payment order. The Collr ~~explains~~ states that p 16 cf he did not see sufficient ground for punishing the Huzur Treasurer as his fault was covered by that of the Dy Collr. It would, however, appear that the initial mistake was that of the Huzur Treasurer. p 3 cf The Board has stated that the responsibility of the Huzur Treasurer is only as regards the safe keeping of the cash & not as regards its disposal or utilization. This may be true, but ~~then~~ in that case the Huzur Treasurer has no business to write the draft payment order. In his explanation, the Huzur Treasurer has stated that he wrote the draft payment order, as the clerk told him that he had no pen. If this has been the only circumst under which the Huzur Treasurer wrote the draft payment order, there would have been no necessity for him to initial it, and his initial shows that he took upon himself the responsibility for the correctness of the order. The passing of this draft payment order by the Dy Collr would hardly appear to be a serious irregularity deserving the operation of the efficiency bar especially in view of the following circumstances :-

(1) The Dy Collr was in charge of the Treasury for only one day.

(2) The draft payment order was written & initialled by the Huzur Treasurer.

(3) The long standing district practice of allowing subject clerks to deposit money with the Treasurer & to withdraw it whenever required

In the file relating to the reports about present Dy Collrs who ~~have~~ are due to pass the efficiency bar in this year, Secy remarked that he knew this Dy Collr & that he was unfit to pass the bar. HMC2, however, ordered that his case might wait till this file is disposed of.

File & Separately

18.4.27

Even allowing for the fact that his fault was committed whilst he held ty. charge of the Try for a single day, he cannot be excused. I know the man & I am not surprised at him committing such a fault. The efficiency bar may operate. He is not fit to pass it. (The shock of discovering that he has not passed it may do him good - though I doubt it). No special order is necessary about him. He has not (in the general) fit been permitted to pass the bar as the bar will operate automatically.

A/

A on page 16 & 3 CF.

② I do not subscribe to the doctrine of the Collector & the Board that the Huzur Treasury is free from blame & I think that the Collector ought to be told to punish him.

③ Nor do I think that Mr Harris - who was the permanent T.D.C. who apparently also "allowed such a practice" should be permitted to go free. The Board may be asked to investigate his responsibility for the continued existence of the practice which resulted in the ~~[illegible]~~ misappropriation.

21.4.27

Circ. 21.4.27.
H.C. 41.

C.

H.E.

B/

This agency of blind - of payment order is a serious matter & his pay may be held at the efficiency bar for a year. The Huzur Treasurer under a far more [illegible]
[illegible]

44 b/

be informed of [illegible] & his explanation taken & as the Collector & Bd have already commuted remission to a certain [illegible] it should be submitted to Govt for orders. The explan. of the present Dy Collector for allowing the remission referred to should also be taken & submitted to Govt

W
22/4/27

I agree.
G.
24 iv. 27.

Draft.
26.4.27

To Secy
Draft O.M. submd
See remark on it
Kg
27.4.27

To Secy
A revised O.M. is submd.
Draft for approval
Kg
28.4.27
2.5.27

W
3/5

Issue
3.5

P23-24 C.F. O.M. No. 699 B/27-2 dt 5-5-27 to the Board of Rev

P 25-27 C.F. From Board LR&S Ref B 5598/26-7 (Confdl) dt 5-7-27

To Secy

Please see references noted above. The Huzur Treasurer (who now appears to be Ag English Head Clerk) explains that the writing ~~of~~ and initialling of the payment-order carries no responsibility with it, and that he did them only to oblige the clerk. The Collr (Mr Gawne) differs from his predecessor (Mr. Wells) in considering that the Treasurer undoubtedly showed negligence in writing & initialling the payment order, and in stating that he cannot believe his explanation that he just wrote to 'oblige' the clerk, who had no pen. The Board has not offered any remarks, presumably ~~in view~~ because of the wording of the concluding portion of para 1 of Govt O.M.

P 26 CF

P 23 CF

For orders.

Where is the charge which was ordered to be framed?
14.7.27

Submits that the charge is on page 29 CF.
P 31 CF
16.7.27

A

The man may be reverted from Ag. E. Head Clerk to his permanent post of Huzur Treasurer as a punishment.
16.7.27

The Collr has also obtained the explanation of Mr: Hurtis, who was T.D.C before Mr. Pai assumed temporary charge of the Treasury, for allowing the practice of permitting clerks to deposit money with the Treasurer & to withdraw it on flimsy grounds. The explanation is on page 35 to 38 C.F. Mr. Hurtis says that the practice of allowing clerks to handle money was a long standing one followed by previous Collrs & T.D.Cs, and that in his time, when he allowed the clerks to withdraw it from the Treasury, he always satisfied himself by looking into the connected files that it was necessary for the clerks to do so.

For orders

13.7.27

The expln may perhaps be accepted.

Then see note B on p 7 inf.

16.7.27

Circ. 16.7.27.

C

The Huzur Treasurer's plea that his act in writing out & initialling a withdrawal order was merely a mechanical act to ~~oblige~~ the clerk is obviously inadmissible. That he should seriously put it forward ~~[illegible]~~ is of itself an indication that he is unfit to hold ~~[illegible]~~ the post of the responsible character of Huzur Treasurer, ~~[illegible]~~ let alone any higher post. I think he should be reduced to a clerical post next below that of Huzur Treasurer.

B

As for Mr Hurtis, no comments

47

say that he himself did not exercise the necessary care in authorising withdrawals in each case but he ought to have been aware that the system which dispensed with the check of a section head over the "subject" clerk was a bad one & ought not to have allowed it to continue merely because it was customary. Think he should be told so.

Me
18/7/27

Draft
15.7.7

To Secy

Draft subd for approval.

21.7.7

Cwc. 21.7.27
C. 27.

21.7.27

Please speak to him on issue
21.7.7

Spoken
25.7.27

Me
22/7/27

Issue
20.7.7

49

REVENUE DEPARTMENT

READ AGAIN G.O. No. ...., dated 191

" " " " ...., " 191

READ ALSO:—

C. No. 699 B/27 From the Board of Rev L.R.& S., No. B5598-26-3 Confdl dated 16-2-27 191

" " 1621 B/27 " " -do- , " B5593-26-5 Confdl " 9-4-27 191

" S 920 B/27 " " -do- , B5593-26-7 Confdl " 5-7-27 191

ORDER.

No. 1443, dated 26. 7. 1927

Mis (Confdl)

26/7/27

The papers read above relate to a case of temporary embezzlement by a clerk of the office of the Collector of South Kanara. On 16-3-26, the Collector received from the Shipping master, P.& O. Steam Navigation Company, Bombay, a sum of Rs 300 for payment to the heir of a deceased lascar. The amount was deposited in the Huzur Treasury, South Kanara, on the same day. On 1-4-26, the ~~subject~~ clerk ~~concerned~~ in charge of the papers, after making a false representation that the amount might be quired for disbursement during the ensuing easter holidays, presented a draft payment order without the initials of the English Head Clerk, the head of the section, to Mr. Pais, Dy.Collr, who was temporary in charge of the Treasury on that day only. The T.D.C. passed the payment order which had been written and initialled by J.S.Suvarna, the Huzur Treasurer. This lead to a temporary misappropriation of the amount by the clerk.

2. In answer to a charge framed against him for writing and initialling the draft payment order, and thus giving his support to the irregular practice (which resulted in the misappropriation) of permitting clerks to withdraw amounts from the treasury on flimsy grounds instead of inviting the attention of the new T.D.C. (Mr. Pais) to the nature of the practice, J.S.Suvarana, the Huzur Treasurer, (now acting English Head Clerk) has stated that his act in writing out and initialling a withdrawal order was

merely a mechanical act done to oblige the clerk who had no pen. This explanation is obviously inadmissible. That he should seriously put it forward is of itself an indication that he is unfit to hold the post of the responsible character of Huzur Treasurer or any higher post The Govt accordingly direct that he be reduced to a clerical post next below that of Huzur Treasurer.

3. The Govt have also perused the explanation of Mr. L.E.Hurtis, Dy Collr., who was the T.D.C. before Mr. Pais assumed temporary charge of the Treasury, for having allowed the irregular practice of permitting ~~subject~~ clerks to withdraw money from the Treasury on their own authority. Though it cannot be said that Mr. Hurtis did not exercise the neessary care in authorizing withdrawals in each case he dealt with, yet he ought to have been aware that the system which dispensed with the check of a head of a section over the ~~subject~~ clerks was a bad one,

and he ought not to have allowed it to continue merely because it was customary. The Boardof Rev is requested to inform the Deputy Collector accordingly.

DESPATCHED with
26JUL 1927

To ~~the Board of Rev.~~, L.R.& S.,
with the following records ret

1. T.D.C.'s Security Regr.
2. Treasurer's Security Reg
3. Collr's Security Regr, 2 vol
4. D.Dis 2278/26,dated 11-6-26
5. D.Dis 1503/25, dated 17-10-2
6. R.Dis 3983/26, dated 12-4-27
7. Copy of the office order dat
4th July 1
